

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI**

AFFIDAVIT

I, Charles Root, being first duly sworn, do hereby depose and state that:

1. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI), assigned to the Joplin Resident Agency of the FBI, Joplin, Missouri. As part of my daily duties as an FBI TFO, I investigate criminal violations of federal law relating to child exploitation, including violations pertaining to the illegal production, receipt, and possession of child pornography.
2. I have received training in the area of child exploitation and child pornography investigations, enticement, inducement of minors and have had the opportunity to observe and review numerous examples of child pornography in all forms of media, including computer media. I have been a sworn law enforcement officer since 1994 and am currently employed by the Joplin, Missouri Police Department since November 2004. I am also assigned to the Southwest Missouri Cyber Crimes Task Force.
3. The statements in this affidavit are based on my personal observations, training and experience, investigation of this matter, and information obtained from other agents and witnesses. Because this affidavit is being submitted for the limited purpose of securing a complaint and an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth the facts believed necessary to establish probable cause to believe that Mark Edwin COMER has

violated Title 18, United States Code, Section 2252, that is, receipt and distribution of child pornography.

STATUTORY AUTHORITY

4. 18 U.S.C. § 2252 prohibits a person from knowingly transporting, shipping, receiving, distributing, reproducing for distribution, or possessing any visual depiction of minors engaging in sexually explicit conduct when such visual depiction was either mailed or shipped or transported in interstate or foreign commerce by any means, including by computer, or when such visual depiction was produced using materials that had traveled in interstate or foreign commerce.

DEFINITIONS

5. The following definitions apply to this Affidavit:
 - a. The term “minor,” as defined in 18 U.S.C. § 2256(1), refers to any person under the age of eighteen years.
 - b. The term “sexually explicit conduct,” 18 U.S.C. § 2256(2)(A)(i-v), is defined as actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic areas of any person.

PROBABLE CAUSE

6. On June 13, 2022, it was reported to the Carl Junction Police Department (CJPD), that a now 13-year-old female child (Jane Doe), disclosed being sexually abused by Mark Edwin COMER (COMER), date of birth September

12, 1979. The abuse occurred on multiple occasions when Jane Doe was between 10 and 11 years of age. Jane Doe revealed during a forensic interview that she demanded that COMER stop the abuse. COMER, however, did not stop, pushed her down and digitally penetrated Jane Doe's vagina. The abuse occurred at COMER's residence located at 415 Lone Elm Drive, Carl Junction, Jasper County, Missouri 64834. This address is located in the Western District of Missouri.

7. While conducting the above-described investigation, the CJPD received a report of a second child who had been sexually abused by COMER. The child is a now 10-year-old male child (John Doe). John Doe disclosed to investigators that COMER touched his penis and buttocks despite his demands that COMER stop. The child said the abuse occurred multiple times, while at COMER's residence identified above.
8. While conducting their investigation, the CJPD was provided with an MSI, model # GL73DK, serial # K1903NDD46716, laptop computer (hereinafter the device), by a family member of COMER. The family member had knowledge of the sexual abuse reports involving both Jane Doe and John Doe. The family member advised that COMER was very protective of this device, and he refused to allow any other person access to the device. The device was maintained in evidence at the CJPD.
9. On June 15, 2022, the Joplin Police Department (JPD), received a report from a mandated reporter, identified as Breana Worstell, who is a counselor with Ozark

Center Behavioral Solutions, Joplin, Missouri. Breana reported to the JPD, that COMER was under her care, and had admitted to her, he had sexually abused two children, and was involved in other inappropriate activity online, which she believed to be child pornography.

10. On July 19, 2022, the CJPD requested FBI assistance in furthering the investigation into COMER.
11. On July 21, 2022, I applied for and was granted a search warrant from the Jasper County Circuit Court, for the device identified above. After obtaining the search warrant, the device was transferred to the Southwest Missouri Cyber Crime Task Force for storage, and forensic examination.
12. On November 7, 2022, TFO Larry Roller completed the forensic examination of the device. During TFO Roller's examination, he identified 4,261 images and 698 video files of suspected child pornography, as well as 13,232 images and 1,221 video files of child exploitative material.
13. On November 7, 2022, the affiant reviewed a sample of the files identified by TFO Roller during his examination of the device. They depict children as young as toddlers being sexually abused. The abuse depicts the graphic display of the genitalia, adult males forcing their erect penis into the vagina, and anus of the child victims. The files also depict children being forced to perform oral sex on adult males, as well as adult male's engaged in oral sex with the minor victims.


CONCLUSION

14. Based upon the above facts, this affiant believes there is probable cause in support of a criminal complaint against Mark Comer for violation Title 18, United States Code, Section 2252, that is, Receipt and Distribution of Child Pornography.



Charles Root
Task Force Officer
Federal Bureau of Investigation

Sworn and subscribed to before me this 8th day of November 2022,



David P. Rush

Chief United States Magistrate Judge
Western District of Missouri